

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

AMY FULLER,

Plaintiff,

v.

**KILOLO KIJAKAZI, Acting
Commissioner of Social Security,**

Defendant.

§
§
§
§
§
§
§
§
§
§
§

EP-22-CV-00133-FM-MAT

**ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE
MAGISTRATE JUDGE**

On this day, the Court considered the “Report and Recommendation of the Magistrate Judge” (“R & R”) filed in the above-captioned case by United States Magistrate Judge Miguel Torres (“Judge Torres”) on August 22, 2023.¹ Therein, Judge Torres recommends that the District Court remand the Acting Commissioner of the Social Security Administration’s (“Commissioner”) decision to deny Plaintiff Amy Fuller’s (“Plaintiff”) application for supplemental security income and disability insurance benefits.²

Because neither party objected to Judge Torres’ R & R, the court has reviewed it for clear error.³ As the court finds no clear error, the R & R will be approved and adopted in full. Consistent with the R & R, the decision of the Commissioner in denying Plaintiff’s application for supplemental security income and disability insurance will be reversed and remanded.

¹ “Report and Recommendation” 1, ECF No. 28, entered Aug. 22, 2023.

² *Id.*

³ *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1).

Accordingly, it is **HEREBY ORDERED** that United States Magistrate Judge Miguel Torres' "Report and Recommendation" [ECF No. 28] is **APPROVED** and **ADOPTED**.

It is **FUTHER ORDERED** that Commissioner's final decision is **REVERSED** and **REMANDED** for further administrative proceedings in accordance with the Report and Recommendation.

SIGNED AND ENTERED this **7th** day of **September 2023**.

A handwritten signature in black ink, appearing to read "Frank Montalvo", is written over a horizontal line.

FRANK MONTALVO
SENIOR UNITED STATES DISTRICT JUDGE